STATE OF MICHIGAN

COURT OF CLAIMS

ROBERT DAVIS,

Plaintiff,

v

Case No. 26-000147-MB

JOCELYN BENSON, in her official capacity as the duly elected Secretary of State,

Hon. Michael J. Riordan

Defendant.
_____ /

FIRST AMENDED SCHEDULING ORDER

On July 13, 2026, plaintiff filed a complaint and emergency motion for an evidentiary hearing. Defendant responded by moving for summary disposition on July 28, 2026. At 3:33 p.m. on July 30, 2026, plaintiff filed an amended complaint as permitted by MCR 2.118(A)(1). In his July 30, 2026 response to defendant's July 28, 2026 motion for summary disposition, plaintiff contended that his amended complaint, which included additional facts and an additional count, rendered defendant's July 28, 2026 motion for summary disposition moot.

The Court agrees that because plaintiff has filed a first amended complaint as of right, the Court may no longer consider defendant's July 28, 2026 motion for summary disposition.

The filing of plaintiff's first amended complaint also requires the Court to enter an amended scheduling order.

Plaintiff is directed to serve the first amended complaint and this order on the challenged candidate by **4:00 p.m. on Friday, July 31, 2026.**

Defendant is directed to respond to the first amended complaint by **4:00 p.m. on Friday, August 7, 2026.**

If defendant responds with a motion for summary disposition, plaintiff must file a response by **4:00 p.m. on Tuesday, August 11, 2026**. Defendant must file a reply by **4:00 p.m. on Friday, August 14, 2026**.

The Court will schedule an evidentiary hearing or oral argument if the Court determines it is required.

Because time is of the essence, the parties are directed, in addition to filing all pleadings with the Clerk, to e-mail all pleadings to Court of Claims Commissioner Amber Tykoski at atykoski@courts.mi.gov. Any questions may be directed to Ms. Tykoski as well.

Date: July 31, 2026

Michael J. Riordan
Judge, Court of Claims